

**MINUTES OF  
MISSISSIPPI TORT CLAIMS BOARD  
THURSDAY, SEPTEMBER 8, 2016**

---

The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

Edds, Steve; Chairman  
Lanford, Mike; Deputy Attorney General, Representing Attorney General Jim Hood  
Graham, Jesse; Deputy State Treasurer, Representing Treasurer Lynn Fitch  
Jackson, Laura; Executive Director, MS Department of Finance and Administration  
Kelsey, Christina; Representing Insurance Commissioner Mike Chaney, MS Insurance  
Department

Also present were:

Donaldson, Bruce; Tort Claims Board  
Kelly, Trina; Tort Claims Board  
Logan, Jim; Tort Claims Board  
McElroy, Lea Ann; Tort Claims Board  
Milner, Steve; Tort Claims Board  
Rayburn, Amanda; Cannon Cochran Management Services, Inc.  
Smith, Dan; Attorney General's Office  
Wilson, Jeff; Trinity Capital  
Younger, Jim; Department of Public Safety  
Wells, Teresa; Tort Claims Board

The Chairman called the meeting to order.

Motion was made by Mrs. Jackson to approve the minutes of the July 14, 2016, meeting. Mr. Lanford seconded the motion, which passed unanimously.

In Old Business, Mrs. McElroy shared with Board members about ongoing efforts to remedy Senate Bill 2362. We will continue to work with legislative leaders in preparation for the Legislative Session.

In New Business, Mrs. McElroy proposed introducing legislation to allow a designee for appointed Board members. This change should alleviate our issues securing a quorum. Additional language could be incorporated into 11-46-18. The Chairman and Mr. Lanford will research language and will present a draft for approval at the November meeting. Mrs. Jackson noted that the legislation will be included in DFA's overall legislative request, but encouraged

Board members to speak with legislators in favor of the legislation when presented the opportunity.

Mr. Logan presented financial reports for fiscal year 2016 through the end of the lapse period, and for fiscal year 2017 through August 31, 2016. Lapse period payments during July and August were primarily for legal expenses and administrative expenses. The Budget Comparison Report for FY2016 shows a final year-to-date expenditure total of \$5,016,566.59 – more than our FY2017 General Fund appropriation of \$4,937,444. The report for fiscal year 2017 looks a bit different due to the General Fund appropriation and no assessment. The “Transfer of Funds – Out to TPA” line item are funds we transfer to the Trustmark account for payment of claims by the TPA. Under the Claims/Reserves Detail portion of the report, the “Total Paid Out to Date” under CCMSI will correspond closely to the transfer amount, although it will not match exactly. The report details the General Fund appropriation and balance after expenditures, and then reflects the negative balance once we factor in Reserves. Due to the Attorney General’s opinion regarding Senate Bill 2362, we have held onto our Special Funds, but because we have no authority to spend those funds, they are not reflected on this report. The average claim paid is \$4,833.91 and the average reserve is \$12,103.55. Mr. Logan then reviewed the Budget Comparison by category for fiscal year 2017, reporting that expenditures were about 22% of the appropriation.

Mr. Wilson presented the investment report through August 2016. The portfolio has a book value just under \$13.2 million and a market value of \$13.14 million. The internal rate of return is just under 1.25% for the eight months of this calendar year, which is tracking back in line for 2% for the year. The yield is just under 1.5% at the end of August. The weighted average life is just over a year, 13 months, due in part because we were preparing the portfolio for possible transition into the General Fund. Now we’ll transition back to a standard tort liability portfolio distribution. The portfolio has earned just over \$140,000 for the calendar year and is tracking toward \$200,000. Accrued interest is a little over \$50,000. Anticipate the yield to gently rise between now and the end of the calendar year.

Mr. Milner provided members a report of his Loss Control activities since the last Board meeting, noting his pre-State Fair fairgrounds assessment and an upcoming safety planning meeting September 29<sup>th</sup> in preparation for the State Fair that will run October 5-16.

Mrs. McElroy presented three (3) attorneys for inclusion in the approved Attorney Register: Matthew L. Harris of Simmons Law Group, P.A. in Ridgeland, P. Nelson Smith, Jr. of Hicks, Helveston & Smith, LLP in Columbus, and Carson H. Thurman with the law firm of Jeffery P. Reynolds, P.A. in Jackson. All meet the eligibility requirements of the Board and staff recommends approval. Mr. Lanford moved to approve and Mrs. Kelsey seconded. The motion passed unanimously.

Mrs. McElroy presented a list of 85 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mr. Lanford made a motion to approve the list and Mrs. Jackson seconded the motion, which passed by unanimous vote.

Mr. Lanford made a motion for the Board to enter Closed Session for the discussion of possible litigation. No second was required, and the motion passed. Mr. Lanford then made a motion for the Board to enter Executive Session for the purpose of discussing possible litigation with regard to agenda item VIII, which was seconded by Mrs. Jackson and passed unanimously. The Chairman announced the Executive Session and asked all visitors to clear the room. Mr. Donaldson made a report to the Board. Mr. Lanford then made a motion to exit Executive Session. Mrs. Kelsey seconded the motion, and the motion passed with a unanimous vote.

There being no further business to come before the Board, the meeting was adjourned.


---

STEVE EDDS, CHAIRMAN



---

MIKE CHANEY, BOARD MEMBER



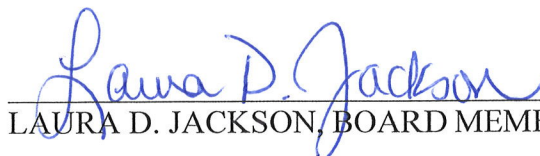
---

LYNN FITCH, BOARD MEMBER



---

JIM HOOD, BOARD MEMBER



---

LAURA D. JACKSON, BOARD MEMBER

---

GARY RIKARD, BOARD MEMBER

  
FOR  

---

ALBERT SANTA CRUZ, BOARD MEMBER

**Mississippi Tort Claims Board**  
**Thursday, September 8, 2016 – 1:30 P.M.**

**AGENDA**

- I.** Approval of Minutes
  - A. July 14, 2016
- II.** Old Business
- III.** New Business
  - A. Possible Legislation to Allow Designee for Appointed Board Members
- IV.** Financial Reports
  - A. Financial Report – Jim Logan
  - B. Investment Report – Jeff Wilson
- V.** Loss Control – Steve Milner
- VI.** Attorney General’s Report – Lea Ann McElroy
- VII.** Certificates of Coverage – Lea Ann McElroy
- VIII.** Claims Report – Bruce Donaldson
  - A. Margaret Sanford vs. Mississippi Department of Rehabilitation Services
- IX.** Adjournment

*Next meeting date and time: November 10, 2016 – 1:30 P.M.*  
*Meeting location: Suite 138, Conference Center North, Woolfolk Building, Jackson, MS*

**MINUTES OF  
MISSISSIPPI TORT CLAIMS BOARD  
THURSDAY, JULY 14, 2016**

---

The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

Lanford, Mike; Acting Chairman; Deputy Attorney General, Representing Attorney General Jim Hood  
Causey, Kim; Representing Insurance Commissioner Mike Chaney, MS Insurance Department  
Graham, Jesse; Deputy State Treasurer, Representing Treasurer Lynn Fitch  
Jackson, Laura; Executive Director, MS Department of Finance and Administration

Also present were:

Burkhalter, Chris; Bickerstaff, Whatley, Ryan & Burkhalter  
Donaldson, Bruce; Tort Claims Board  
Kelly, Trina; Tort Claims Board  
Logan, Jim; Tort Claims Board  
McElroy, Lea Ann; Tort Claims Board  
McKlemurry, Karen; Tort Claims Board  
Preziosi, Misti; Office of the State Treasurer  
Smith, Dan; Attorney General's Office  
Wilson, Jeff; Trinity Capital  
Younger, Jim; Department of Public Safety  
Wells, Lisa; Cannon Cochran Management Services, Inc.  
Wells, Teresa; Tort Claims Board

The Chairman called the meeting to order.

Motion was made by Mrs. Jackson to approve the minutes of the May 12, 2016, meeting. Mr. Lanford seconded the motion, which passed unanimously.

In Old Business, Mrs. McElroy updated Board members on the Attorney General's Opinion regarding Senate Bill 2362 that followed discussion for the May meeting. As a result of the opinion, we will not transfer any investments to the State General Fund. Although the opinion gives us the authority to assess agencies, for now we will simply hear the report of the actuary and not approve an assessment for FY2017. We will continue to follow the opinion of the Attorney General and work toward returning to normal Special Funds operations following the upcoming Legislative Session.

*The Chairman congratulated Mrs. Jackson on her new appointment as the Executive Director of the Department of Finance and Administration. Mrs. Jackson introduced Jesse Graham, Deputy State Treasurer, who will now be representing Treasurer Lynn Fitch at our Board meetings. Mrs. McElroy introduced staff member Karen McKlemurry, Administrative Assistant with the Claims staff, and the Chairman welcomed her to the Board meeting.*

In New Business, Mrs. McElroy updated the Board on her conversations with Whitney Lipscomb in the Governor's Office and the intent to have a new Chairman in place for the September Board meeting.

Continuing in New Business, Chris Burkhalter, the Board's actuary, presented his report reviewing fiscal year 2016 and providing funding recommendations for fiscal year 2017. There are two facets to this report: (1) the overall financial audit of the Fund, quantifying the total reserve, and (2) assessments. Reserves include both case reserves and actuarial reserves (or IBNR – Incurred But Not Reported) because we know there are claims out there that have not yet been reported. So there are about \$8 million in case reserves and another \$5.2 million in IBNR. Reserves are down about \$1.4 million from the prior year. Historically compared to assets, the financial position of the fund is pretty good. The claim count for FY2016 was 1,124. We are seeing a consistent pattern of claim count development, so this may be a new normal level going forward. With regard to claim severity, we have 2 upward trends – a slightly upward frequency trend with claim count and continued upward severity – which put upward pressure on the assessment. Overhead expenses are pretty flat and very low as a percentage of total expenditures, resulting in a very efficient operation. The summary includes assessment recommendations for fiscal year 2017 ranging from \$4.1 million (low) to \$5.5 million (high), with the recommendation being the central estimate of \$4.8 million. With a projected cash need between \$5.0 - \$6.3 million, and a General Fund budget of \$4.9 million, it will be very important to watch the budget and the claim development this fiscal year. Following discussion, Mr. Burkhalter's report was received as information.

Lastly under New Business, Mr. Jim Logan presented the Budget Request for Fiscal Year Ending June 30, 2018. The 2018 request is a \$6.5 million request in Special Fund authority, an increase over the FY2017 State General Fund appropriation but a reduction from the FY2016 Special Fund appropriation.

Mr. Logan presented financial reports for fiscal year 2016 through June 30, 2016. The Cash Flow Analysis details assessment receipts of \$4.4 million (100%), claim expenses of \$3.1 million, legal expenses of \$786,745, and other claim expenses of \$18,500. Mr. Logan advised that we have total funds of \$13.7 million, including \$8 million in reserves and \$5.7 million in unencumbered funds. The average claim paid is \$4,365 and the average reserve is \$11,903. Mr. Logan then reviewed the Budget Comparison by category for fiscal year 2015, reporting that expenditures were about 54% of the appropriation.

Mr. Wilson presented the investment report through June 2015. At the end of the fiscal year, the portfolio had a cost basis of a little over \$13.1 million and a market value equal to about the same. This is maybe the second time this fiscal year that we exceeded the cost basis on the portfolio. The internal rate of return fell under 2% earning \$196,000 in interest for the fiscal

year. The current yield, however, is only 1.33%. Looking at performance through the fiscal year, we started with \$12.7 million and ended with \$13.15, which is that 1.68% internal rate of return. We continue to lag behind the indicator in the current rate environment. At the end of the fiscal year, Treasuries swelled to almost 25% of the portfolio, and we continue to sit right on the maximum allowed for Mortgage-Backed Securities. The Maturity Distribution report reflects our earning issues with almost \$10 million coming due in the next 12 months while only earning 1.33%. Worth noting is the \$1.4 million positive development noted in the actuarial report, which will help tremendously.

In Mr. Milner's absence, Mrs. McElroy provided members a report of his Loss Control activities since the last Board meeting.

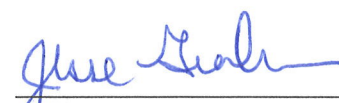
Mrs. McElroy presented two (2) attorneys for inclusion in the approved Attorney Register: Clay B. Baldwin in private practice as Baldwin Law Firm, PLLC in Madison and Jason E. Weeks of Hicks, Helveston & Smith, LLP in Jackson. Both meet the eligibility requirements of the Board and staff recommends approval. Mrs. Jackson moved to approve and Mrs. Causey seconded. The motion passed unanimously.

Mrs. McElroy presented a list of 23 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mrs. Jackson made a motion to approve the list and Mrs. Causey seconded the motion, which passed by unanimous vote.

Mr. Lanford made a motion for the Board to enter Closed Session for the discussion of possible litigation. Mrs. Jackson seconded the motion, which passed. Mr. Lanford then made a motion to set the agenda to discuss possible litigation with regard to agenda item VIII. Mrs. Jackson seconded the motion, which passed. Lastly, Mr. Lanford made a motion for the Board to enter Executive Session, which was again seconded by Mrs. Jackson and passed unanimously. The Chairman asked all visitors to clear the room. Mr. Donaldson made a report to the Board. Mr. Lanford then made a motion to exit Executive Session. Mrs. Jackson seconded the motion, and the motion passed with a unanimous vote.

There being no further business to come before the Board, the meeting was adjourned.

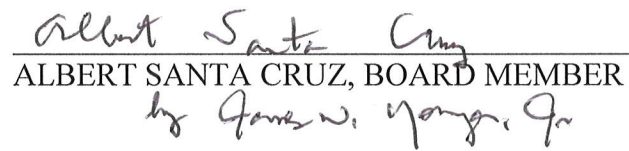
  
\_\_\_\_\_  
MIKE CHANEY, BOARD MEMBER

  
\_\_\_\_\_  
LYNN FITCH, BOARD MEMBER

  
JIM HOOD, BOARD MEMBER

  
LAURA D. JACKSON, BOARD MEMBER

\_\_\_\_\_  
GARY RIKARD, BOARD MEMBER

  
ALBERT SANTA CRUZ, BOARD MEMBER  
by James W. Young, Jr.



**MISSISSIPPI TORT CLAIMS BOARD****Tort Claims Fund (Treasury Fund 3080)**

Financial Report - Fiscal Year 2016

**-----CASH FLOW ANALYSIS-----**

	July 2016 Lapse	August 2016 Lapse	YTD Total
<b>REVENUE:</b>			
Assessments Received	\$ -	\$ -	\$ 4,399,163.42
Interest	0.00	0.00	13,739.43
Investment Interest	0.00	0.00	238,087.21
Sale of Scrap	0.00	0.00	10,073.00
Refund of Prior Year Disbursement	0.00	0.00	1,269.00
Transfer In Funds	0.00	0.00	3,150,000.00
<b>Total Revenue</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,812,332.06</b>
<b>EXPENSES:</b>			
Claim Losses - TPA and TCB	0.00	0.00	3,146,989.04
Legal Expenses - TPA and TCB	29,531.08	16,373.20	832,648.83
Other Expenses - TPA and TCB	0.00	0.00	18,498.25
Administrative Expenses Paid	1,410.94	183.42	950,691.15
Transfer of Funds - Out	0.00	0.00	3,150,000.00
<b>Total Expenses</b>	<b>\$ 30,942.02</b>	<b>\$ 16,556.62</b>	<b>\$ 8,098,827.27</b>
<b>CASH ON HAND:</b>			
Revenue	0.00	0.00	
Expenses	(30,942.02)	(16,556.62)	
<b>Total Cash</b>	<b>\$ (30,942.02)</b>	<b>\$ (16,556.62)</b>	

**-----CLAIMS/RESERVES DETAIL (Year-To-Date)----**

	Tort Board	CCMSI	TOTAL
Claims - Payments	\$ 88,551.14	\$ 3,058,437.90	\$ 3,146,989.04
Claims - Legal Expenses	827,611.90	5,036.93	\$ 832,648.83
Claims - Other Expenses	-	18,498.25	\$ 18,498.25
<b>Total Paid FY 2015</b>	<b>\$ 916,163.04</b>	<b>\$ 3,081,973.08</b>	<b>\$ 3,998,136.12</b>

NOTE: Information represents combined operations for Treasury Fund 3080 and the Trustmark account (utilized by CCMSI).

# MISSISSIPPI TORT CLAIMS BOARD

## Budget Comparison Report

Treasury Fund 3080

Fiscal Year 2016

Expenses:	Total Budget	July 2016 (Lapse)	August 2016 (Lapse)	Year To Date Expenditures	Ending Balance	Percent Expended
A1-Salaries	\$ 555,000.00	\$ -	\$ -	\$ 553,612.12	\$ 1,387.88	99.75%
A2-Travel	8,000.00	0.00	0.00	1,777.82	6,222.18	22.22%
B-Contractual	4,727,706.00	29,831.08	16,433.90	1,218,086.30	3,509,619.70	25.76%
C-Commodities	8,300.00	1,110.94	122.72	4,539.21	3,760.79	54.69%
D2-Capital Outlay	3,500.00	0.00	0.00	0.00	3,500.00	0.00%
E-Subsidies	3,819,924.00	0.00	0.00	3,238,551.14	581,372.86	84.78%
<b>SUBTOTAL</b>	<b><u>\$ 9,122,430.00</u></b>	<b><u>\$ 30,942.02</u></b>	<b><u>\$ 16,556.62</u></b>	<b><u>\$ 5,016,566.59</u></b>	<b><u>\$ 4,105,863.41</u></b>	<b><u>54.99%</u></b>
TPA Expended		<u>0.00</u>	<u>0.00</u>	<u>3,082,260.68</u>		
<b>TOTAL Expended</b>		<b><u>\$ 30,942.02</u></b>	<b><u>\$ 16,556.62</u></b>	<b><u>\$ 8,098,827.27</u></b>		

**MISSISSIPPI TORT CLAIMS BOARD**  
**Combined Financial Report - Fiscal Year 2017**  
**General Fund 2208000000**

	<u>July</u>	<u>August</u>	<u>Year-To-Date</u>
<b>GENERAL FUND EXPENSES:</b>			
Claim Losses - TCB only	11,473.88	11,699.38	23,173.26
Legal Expenses - TCB only	0.00	124,075.62	124,075.62
Other Expenses - TCB only	0.00	0.00	0.00
Administrative Expenses Paid	47,805.47	138,043.79	185,849.26
Transfer of Funds - Out to TPA	250,000.00	500,000.00	750,000.00
<b>Total Expenses</b>	<b>\$ 309,279.35</b>	<b>\$ 773,818.79</b>	<b>\$ 1,083,098.14</b>
<b>GENERAL FUND BALANCE:</b>			
Beginning Balance	\$ 4,937,444.00	\$ 4,628,164.65	
Expenses	(309,279.35)	(773,818.79)	
<b>Total General Fund Balance</b>	<b>\$ 4,628,164.65</b>	<b>\$ 3,854,345.86</b>	
Less Reserves	<b>\$ 8,468,464.47</b>	<b>\$ 8,194,106.73</b>	
<b>General Fund less Reserves</b>	<b>\$ (3,840,299.82)</b>	<b>\$ (4,339,760.87)</b>	

**-----CLAIMS/RESERVES DETAIL (Year-To-Date)----**

	<b>MTCB</b>	<b>CCMSI</b>	<b>TOTAL</b>
Claims - Payments	\$ 23,173.26	\$ 701,912.51	\$ 725,085.77
Claims - Legal Expenses	124,075.62	-	124,075.62
Claims - Other Expenses	-	3,854.40	3,854.40
<b>Total Paid Out to Date</b>	<b>\$ 147,248.88</b>	<b>\$ 705,766.91</b>	<b>\$ 853,015.79</b>
<b>OUTSTANDING RESERVES</b>	<b>423,815.92</b>	<b>7,770,290.81</b>	<b>8,194,106.73</b>
<b>Total Claims &amp; Reserves</b>	<b>\$ 571,064.80</b>	<b>\$ 8,476,057.72</b>	<b>9,047,122.52</b>
Number of Claims Created	101	103	204
Number of Claims Paid	76	74	150
Total Open Claims	236	441	677
<b>AVG. CLAIM \$ / # CLAIMS PAID</b>	<b>\$304.91</b>	<b>\$9,485.30</b>	<b>\$ 4,833.91</b>
<b>AVG. RESERVE / OPEN CLAIMS</b>	<b>\$1,795.83</b>	<b>\$17,619.71</b>	<b>\$ 12,103.55</b>

NOTE: Information represents combined operations for General Fund 2208000000 and the Trustmark account (utilized by CCMSI).

# MISSISSIPPI TORT CLAIMS BOARD

Budget Comparison Report

General Fund 2208000000

Fiscal Year 2017

Expenses:	Total Budget	July 2016	August 2016	Year To Date Expenditures	Ending Balance	Percent Expended
A1-Salaries	\$ 560,000.00	\$ 47,374.73	\$ 46,026.56	\$ 93,401.29	\$ 466,598.71	16.68%
A2-Travel	4,000.00	0.00	0.00	0.00	4,000.00	0.00%
B-Contractual	1,364,500.00	363.00	215,294.82	215,657.82	1,148,842.18	15.80%
C-Commodities	7,000.00	67.74	798.03	865.77	6,134.23	12.37%
D2-Capital Outlay	1,500.00	0.00	0.00	0.00	1,500.00	0.00%
E-Subsidies	3,000,444.00	261,473.88	511,699.38	773,173.26	2,227,270.74	25.77%
<b>SUBTOTAL</b>	<b><u>\$ 4,937,444.00</u></b>	<b><u>\$ 309,279.35</u></b>	<b><u>\$ 773,818.79</u></b>	<b><u>\$ 1,083,098.14</u></b>	<b><u>\$ 3,854,345.86</u></b>	<b><u>21.94%</u></b>
TPA Expended		<u>117,413.28</u>	<u>588,353.63</u>	<u>705,766.91</u>		
<b>TOTAL Combined</b>		<b><u>\$ 426,692.63</u></b>	<b><u>\$ 1,362,172.42</u></b>	<b><u>\$ 1,788,865.05</u></b>		

# **TRINITY**

TRINITY CAPITAL INVESTORS

September 2, 2016

Ms. Lea Ann McElroy  
Mississippi Tort Claims Board  
P O Box 267  
Jackson, MS 39205-0267

Re: August 2016 Portfolio Highlights

---

Total Portfolio	Book Value	\$13,181,544
	Market Value	\$13,144,770
2016 YTD Internal Rate of Return		1.22%
Current Portfolio Book Yield		1.42%
Market Yield		1.39%
Weighted Average Life		Approximately 1.1 years
2016 YTD Earnings		140,612
Accrued Interest		54,284



**STATE OF MISSISSIPPI**  
GOVERNOR PHIL BRYANT

**MISSISSIPPI TORT CLAIMS BOARD**  
STEPHEN C. EDDS, CHAIRMAN

MIKE CHANEY, Commissioner  
Insurance Department  
LYNN FITCH, Treasurer  
Department of Treasury  
JIM HOOD, Attorney General  
Office of Attorney General

LAURA D. JACKSON, Executive Director  
Department of Finance and Administration  
GARY RIKARD, Executive Director  
Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety

**MEMORANDUM**

**TO:** Mississippi Tort Claims Board  
**FROM:** Steve Milner  
**DATE:** September 8, 2016  
**RE:** Loss Control Report

Since the last Board Meeting, loss control services for the Tort Claims Board include:

- 3 Ride a Longs
- 3 Post Flood Safety Assessments
- 15 State Property Inspections
- 2 Emergency Responses
- 2 Defensive Driving Classes
- 5 Accident Investigations
- 3 Risk Management Consultations
- 1 Pre State Fair Grounds Assessment
- 1 Safety Officer Training Meeting



STATE OF MISSISSIPPI  
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD  
STEPHEN C. EDDS, CHAIRMAN

MIKE CHANEY, Commissioner  
Insurance Department  
LYNN FITCH, Treasurer  
Department of Treasury  
JIM HOOD, Attorney General  
Office of Attorney General

LAURA D. JACKSON, Executive Director  
Department of Finance and Administration  
GARY RIKARD, Executive Director  
Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety

MEMORANDUM

**TO:** Mississippi Tort Claims Board  
**FROM:** Lea Ann McElroy  
**DATE:** September 8, 2016  
**RE:** Additions to Defense Attorney List

**RECOMMENDATION:** Staff recommends approval of (3) attorney for inclusion on Defense Attorney List

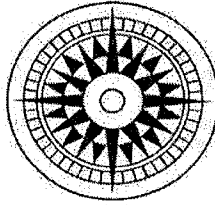
Honorable Matthew L. Harris  
Simmons Law Group, P.A.  
240 Trace Colony Park Drive, Suite 200  
Ridgeland, Mississippi 39157

Honorable P. Nelson Smith, Jr.  
Hicks, Helveston & Smith, LLP  
Post Office Box 1111  
Columbus, Mississippi 39703-1111

Honorable Carson H. Thurman  
Jeffery P. Reynolds, P.A.  
Post Office Box 24597  
Jackson, Mississippi 39225

# SIMMONS LAW GROUP, P.A.

**Jackson Office:**  
240 Trace Colony Park Drive  
Suite 200  
Ridgeland, MS 39157  
Tel. (601) 914-2882  
Fax (601) 914-2887



ATTORNEYS AT LAW

July 11, 2016

Mississippi Tort Claims Board  
P.O. Box 267  
Jackson, MS 39205

Re: Attorney Approval

To whom it may concern:

I am interested in becoming an attorney approved by the Mississippi Tort Claims Board to work on MTCB files assigned to Simmons Law Group, P.A.

I have over 5 years of litigation experience and am in good standing with the MS Bar Association. I've attached my resume for your review. I will bill at the current MTCB rates and will follow the MTCB guidelines.

Thank your time and consideration in this matter. Should you need anything further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. L. Harris".

Matthew L. Harris

MLH:cgs

Enclosure



**MATTHEW LEE HARRIS**

5362 Carolwood Drive  
Jackson, Miss. 39211

Cellular: (901) 484.8054

Primary Email: [mharris@simmonsllawgroup.com](mailto:mharris@simmonsllawgroup.com)

---

**BAR LICENSES**

**Mississippi, Tennessee, 2011**

**EDUCATION**

**J.D. (2011) Mississippi College School of Law, Jackson, MS**

- Recipient, Academic Scholarship
- Member, Law Review

**B.S. (2008) Austin Peay State University, Clarksville, TN**

- Recipient, Academic Scholarship
- Recipient, Governor's Pride Leadership Award

**PROFESSIONAL  
EXPERIENCE**

**Associate Attorney, *Simmons Law Group, P.A.*, Oct 2015 - Present**

Practice consists primarily of insurance defense litigation in all state and federal courts throughout Mississippi and Tennessee. Prepare all matters for trial by developing case defense theory/strategy, take lay and expert depositions, draft dispositive/substantive motions, attend mediations when applicable, and have case ready for trial. I receive minimal oversight from senior partners and have direct access to all major clients.

**Director of Operations & Litigation, *Allen Financial Group, P.A.*, Jackson, MS, Sep. 2014- Oct 2015**

Chief strategist to President of the firm in coordinating administrative and litigation strategies. Oversee all day-to-day activities for management of the firm in regards to revenue-generating operations. Provide litigation support to in-house and external counsel including discovery and motion preparation. Direct major recruiting efforts for firm in present high-growth phase including hiring, compensation review, contract structure, and firm onboarding. Assist financial and investment advisors in structuring new platforms for market penetration.

**Associate Attorney, *Schwed, Adams, Sobel, & McGinley, P.A.*, Memphis, TN, May 2012- Sep. 2014**

Hired by this law firm to open and lead Memphis office. Oversaw team of ten support staff in all forms of case management. Prosecuted firm's high volume litigation files with an emphasis on dispositive motion preparation, discovery dispute resolution, deposition practice (taking and defending), and alternative dispute resolution in state and federal courts throughout Tennessee and Mississippi.

**Contract Attorney, *Cornelius Law Firm*, New Albany, MS, Aug. 2011- May 2012**

Primary areas of practice included domestic and civil litigation matters in both chancery and circuit courts.

**Voluntary Staff Attorney, U.S. Senator Bob Corker**, Memphis, TN, May 2011 – Aug. 2011

Review case files for constituent needs and perform legal analysis to benefit constituents residing within the Memphis office service area.

**Extern, Hinds County District Attorney**, Jackson, MS, 2011

Assisted Hinds County Assistant District Attorneys facilitate the prosecution of criminal defendants through written and oral evidentiary research and trial preparation.

**Regulatory Analyst—Health and Regulatory Law Symposium**

***Diagnosing American Healthcare: Economic Stakeholders and Bioethical Concerns***, Jackson, MS, Fall 2009 – Spring 2010

Collected and analyzed law review works on behalf of presenters at annual Law Review Symposium held at Mississippi College School of Law to be used in both written publication and public comments made during the symposium; research focused chiefly on issues of economic importance to the national healthcare debate.

**Fellow, Walker Foundation, Mississippi Center for Justice**, Jackson, MS, Spring 2010

Selected as 2010 Fellow for the Walker Foundation to pursue public sector service work and develop a community-wide legal and business symposium. My work focused on giving these citizens access to professional legal and business advice which they would be otherwise unable to obtain, specifically dealing with criminal law topics.

**Global Issues in Corporate Law**, Sookmyung Women's University; Seoul, Korea, 2009

Performed extensive research on international corporate law; included SEC compliance regulations and international trade issues.

- Recipient, Best Paper & Research Award

**Manager, Systems Control & Data Acquisition (SCADA), Cumberland Electric Membership Corp.**, Clarksville, TN, June 2005 – Aug. 2008

Oversaw team of six others in assuming responsibility for all public relations and system shortfalls of this large, rural electricity distribution cooperative with the public during instances of wide-range electrical issues including weather and other causes

## **PROFESSIONAL ACTIVITIES**

- Member, Tennessee Bar Association, 2011-Present
- Member, Mississippi Bar Association, 2011-Present
- Member, Memphis Bar Association, 2012-2014

**COMMUNITY  
LEADERSHIP**

- Recipient, “Volunteer of the Year” Award for Mississippi College School of Law student body, 2009
- Member, Memphis Metropolitan Inter-Faith Association and mayor’s faith-based initiative to end homelessness, 2014-2015
- Appointed by Governor Phil Bredesen to Tennessee Board of Regents, 2007-2008
- Member, Grace-St. Luke’s Episcopal Church, Memphis, TN, 2013-2014
- Member, St. Andrew’s Episcopal Cathedral, Jackson, MS, 2014-Present
- Member, Rotary Club of New Albany, 2011-Present
- Member, North American Insurance & Financial Advisor Association, 2015-Present

# HICKS HELVESTON & SMITH, LLP

Attorneys At Law

## Columbus

Regions Bank, 2nd Floor  
710 Main Street  
P. O. Box 1111  
Columbus, MS 39703-1111  
Phone: (662) 243-7300  
Fax: (662) 327-1485

Dewitt T. Hicks, Jr.  
[dhicks@hhsdefense.com](mailto:dhicks@hhsdefense.com)

P. Nelson Smith, Jr.  
[nelson@hhsdefense.com](mailto:nelson@hhsdefense.com)

## Jackson

1900 Lakeland Drive  
Jackson, MS 39216-5026

## Ridgeland

992 Northpark Drive, Suite A  
Ridgeland, MS 39157  
Phone: (601) 956-2598  
Fax: (601) 956-2642

Jason Weeks  
[jweeks@hhsdefense.com](mailto:jweeks@hhsdefense.com)

Brad Reeves  
[breeves@hhsdefense.com](mailto:breeves@hhsdefense.com)

## West Point

103 East Broad Street  
P. O. Box 835  
West Point, MS 39773-0835  
Phone: (662) 494-5184  
Fax: (662) 494-4836

Jim Helveston  
[jch@hhsdefense.com](mailto:jch@hhsdefense.com)

Of Counsel:  
Richard M. Schoinick  
[rscholnick@comcast.net](mailto:rscholnick@comcast.net)

May 10, 2016

Mississippi Tort Claims Board  
Attn: Bruce Donaldson  
P.O. Box 267  
Jackson, MS 39205

RE: Approval for Inclusion on Mississippi Tort Claims Board Counsel Panel

Dear Mr. Donaldson:

Please allow this correspondence to serve as my request for consideration by the Mississippi Tort Claims Board to approve me as an attorney who can be appointed to serve as counsel in defending claims against various Mississippi public institutions.

I am a member in good standing with the Mississippi Bar and have practiced insurance defense law for 16 years. A detailed explanation of my experience and areas of insurance defense practice is included on my attached resume.

Thank you for your consideration to allow me to serve as counsel for the Mississippi Tort Claims Board and if you have any questions or need any additional information, please do not hesitate to contact us.

Sincerely yours,

  
P. Nelson Smith, Jr.

cc: Dewitt T. Hicks, Jr.  
Jason E. Weeks

## **PERRIN NELSON SMITH, JR.**

710 MAIN STREET (2ND FLOOR)  
P.O. BOX 1111,  
COLUMBUS, MISSISSIPPI, 39703  
T: 662-243-7311 F: 662-327-1485  
NELSON@HHSDEFENSE.COM

**BORN:** Jackson, Mississippi, April 4, 1964

**TITLE:** Partner -Hicks, Helveston & Smith, LLC

**PRACTICE AREAS:** Insurance Law; Personal Injury; Appellate Practice; Civil Litigation; Construction Law; Civil Appeals; Contract Litigation; Insurance Defense; Litigation; Tort Defense; Torts; **Insurance Defense Practice: has practiced insurance defense law for 26 years**

**ADMITTED:** 1990, Mississippi, U.S. District Court, Northern and Southern Districts of Mississippi and U.S. Court of Appeals, Fifth Circuit

**EDUCATION:** University of Mississippi (B.A., Physics, 1986); University of Mississippi (J.D., 1990)

**BAR ASSOCIATION MEMBERSHIPS:** Lowndes County (Former President), American Bar Association (Member, Alternative Dispute Resolution) and Federal Bar Associations (Member, Construction Law Section); The Mississippi Bar Member (Alternate Dispute Resolution Committee and Family Law).

**BIOGRAPHY:** Pro Tern Youth Court Judge (2011 to present); Bethany Christian Services; First Baptist Church (Deacon); Citizens Police Academy (Graduate and Alumni Association Past President); Salvation Army (Former Board Member); Loaves & Fishes Soup Kitchen (Former Board Member); DRI (Member); Christian Women 's Job Corps (Advisory Board); Mississippi University for Women (Legal Studies Board)



Jeffery P. Reynolds, P.A.  
LITIGATORS

CARSON H. THURMAN

[carsonh@jprpa.com](mailto:carsonh@jprpa.com)

Licensed in MS and TN

August 18, 2016

**Via E-Mail**

Mr. Bruce Donaldson  
Mississippi Tort Claims Board  
P.O. Box 267  
Jackson, Mississippi 39205  
[Bruce.Donaldson@dra.ms.gov](mailto:Bruce.Donaldson@dra.ms.gov)

**Re: Consideration for Approval**

Dear Bruce:

Please accept this letter as my request to be considered for approval to represent the Tort Claims Board and all of its covered political subdivisions, entities, agencies and institutions. I have worked for the law firm of Jeffery P. Reynolds, P.A. since I graduated law school from the Mississippi College School of Law in 2009, where I graduated *magna cum laude* in the top 10% of my class. During the entirety of employment here, I have worked under Mr. Jeff Reynolds, who is also a Board-approved attorney. At this point in my career, I have more than five years of insurance defense experience, and I am currently licensed in the State of Mississippi and in good standing with the Mississippi Bar Association. Finally, I am willing to represent the Board at the rates currently set for Board-approved attorneys. I have attached a current resume for your review.

Please let me know if you should need anything further. Thank you for your consideration of this matter.

Sincerely yours,

**JEFFERY P. REYNOLDS, P.A.**

Carson H. Thurman

CHT:la

Enclosure

cc: Mr. Brian Pugh (*via electronic mail*)  
Jeffery P. Reynolds, Esq. (*via electronic mail*)

200 South Lamar Street • Suite 1050-S • Jackson, Mississippi 39201

Mailing Address: P.O. Box 24597 • Jackson, Mississippi 39225

(601) 355-7773 • Fax (601) 355-6364

[www.jprpa.com](http://www.jprpa.com)

# CARSON THURMAN

carson@jprpa.com

4033 Eastwood Place, Jackson, Mississippi 39211

601.212.2675

---

## EXPERIENCE

**Jeffery P. Reynolds P.A.**  
*Jackson, Mississippi*

*Associate, November 2009 – Present*  
*Law Clerk, 2008-2009*

- Associate in energy and environmental litigation boutique specializing in oil & gas litigation, environmental defense, construction litigation, commercial litigation on behalf of creditors, employment law, administrative law, tort defense, and general litigation.
- Successfully represented numerous corporate and individual clients in trial and appellate litigation, mediations, and administrative proceedings, including those before the Mississippi Commission on Environmental Quality and the Mississippi State Board of Health.

**Hinds County Public Defender**  
Legal Intern

Summer 2007

**Mississippi Volunteer Lawyers Project, Jackson, Mississippi**  
Legal Intern

2006-2007

## REPRESENTATIVE MATTERS

- Represented multiple oil companies in obtaining Order judicially estopping Debtor/Plaintiff from pursuing three related lawsuits against them, ending 18+ years of litigation (U.S. Bankr. Court for the Southern District of Mississippi, October 27, 2014).
- Represented Jackson-based commercial real estate company in a lawsuit filed against former owners of two commercial real estate properties; recovered full amount sought through out-of-court settlement (June 3, 2015).

## EDUCATION

**Mississippi College School of Law**

J.D., May 2009, Magna Cum Laude

- GPA 3.50 (Rank: 17/173)
- Law Review, Member
- AmJur Book Award, Local Government

**Miami University of Ohio**

B.S., May 2001 (Business)

- Major: Marketing
- Concentration: Management

## BAR ADMISSIONS

- Mississippi
- Tennessee



STATE OF MISSISSIPPI  
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD  
STEPHEN C. EDDS, CHAIRMAN

MIKE CHANEY, Commissioner  
Insurance Department  
LYNN FITCH, Treasurer  
Department of Treasury  
JIM HOOD, Attorney General  
Office of Attorney General

LAURA D. JACKSON, Executive Director  
Department of Finance and Administration  
GARY RIKARD, Executive Director  
Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety

MEMORANDUM

**TO:** Mississippi Tort Claims Board  
**FROM:** Lea Ann McElroy  
**DATE:** September 8, 2016  
**RE:** Political Subdivisions – Certificates of Coverage

**RECOMMENDATION:** Staff recommends approval of 85 political subdivisions shown on attached list.



# MISSISSIPPI TORT CLAIMS BOARD

Thursday, September 8, 2016

Political Subdivisions Recommended for Renewal of Certificate of Coverage

Alcorn County Schools  
Amite County Board of Education  
Amory School District  
Bay St. Louis-Waveland School District  
Benton County School District  
Calhoun County School District  
Canton School District  
Carriere Volunteer Fire Department  
Clermont Harbor Lakeshore Fire Protection District  
Coahoma County School District  
Columbus Municipal School District  
Corinth Gas and Water Department  
Desoto County School District  
Durant Public School District  
East Jasper School District  
Farmhaven Volunteer Fire Department  
Forrest County School District  
Franklin County School District  
Greenville Public School District  
Grenada County Firefighters Association  
Grenada School District  
Holly Springs School District  
Holmes County Board of Supervisors  
Holmes County School District  
Humphreys County School District  
Itawamba County Board of Supervisors  
Jefferson County Fire District  
Jefferson County School District  
Jefferson Davis County School District  
Lawrence County School District  
Leake County School District  
Leetown Fire District  
Liberty Branch Volunteer Fire Department  
Lone Star Volunteer Fire Department  
Ludlow Volunteer Fire Department  
Marion County School District  
Marshall County School District  
Mississippi Association of Supervisors Insurance Trust (MASIT)  
Mississippi Gulf Coast Community College  
Monroe County School District  
Natchez-Adams School District  
Nesbit Volunteer Fire Department

Nettleton School District  
Newton County Board of Supervisors  
Newton County School District  
North Central Scott Volunteer Fire Department  
North Panola School District  
North Pike County School District  
North Tippah Consolidated School District  
Okolona Municipal Separate School District  
Oxford School District  
Palmetto-Old Union Fire Department  
Pearl River County Fire District  
Pontotoc City School District  
Poplarville Volunteer Fire Department  
Post 58 Fire Department  
Richton School District  
Scott County School District  
Silver City City Clerk  
South Delta School District  
South Lee Volunteer Fire Protection District  
South Pike County School District  
South Tippah School District  
Southwest Covington County Volunteer Fire Department  
Starkville-Oktibbeha Consolidated School District  
Stonewall City Clerk  
Sunflower County Consolidated School District  
Tate County School District  
Tippah Career and Technology Center  
Tishomingo County School District  
Tunica County Board of Education  
Union County School District  
Union Volunteer Fire Department  
Walthall County School District  
Wayne County Board of Supervisors  
Wayne County Fire  
Webster County Board of Supervisors  
Webster County Fire District  
West Bolivar Consolidated School District  
West Jasper County School District  
West Point City Clerk  
West Tallahatchie School District  
Yazoo City Public Schools  
Yazoo County School District  
Yazoo-Mississippi Delta Levee Board

**Total 85**